

REMARKS

The applicant respectfully requests the Examiner to consider the application in view of the preceding amendments and the following remarks related to the amended claims proposed above and the Office Action dated on March 2nd, 2003. The amendments presented above contain no new matter and raise no new issues.

The numbering below refers to that of the Office Action.

4. and 5. The Examiner lists unclear and improper language as well as lacking antecedent basis of some of the claims. All the statements of the Examiner have been taken into account and the newly amended claims are with this respect in condition of allowance.

6. The Examiner notes that in the claims 2-5 it is unclear as to how the mechanism works, i.e. to what is each mechanism attached. The newly amended claims have been modified so that this unclarity should not be present anymore.

7. The Examiner states that there is insufficient antecedent basis for the limitation "the ladder and telescopic mechanism" in claims 14 and 15. Claims 14 and 15 are canceled.

9 and 10. The Examiner rejects claims 1,3, 4, 6-8 and 10-14 under 35 U.S.C. 103 (a) as being unpatentable over Dempsey in view of Hooten. Dempsey discloses an aluminum ladder comprising hollow rungs, attached to side rails, extension legs, which are slidable within the rails and are adjusted by metal spring pin. Hooten teaches the holding assembly. Claims 3,4, 6-8, 10-14 are canceled. Claim 1 has been narrowed to claim only the threaded screw mechanism, which is not described or suggested by Dempsey.

11. Claims 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dempsey, in view of Hooten and Murphy. Murphy teaches the utility of ladder

components, which can be made from plastic, or fiberglass. Claims 9 and 15 are canceled.

12. Claim 2 is rejected under 35 U.S. C. 103(a) as being unpatentable over Dempsey in view of Hooten and Planck. Planck teaches a threaded telescopic leg assembly having a rubber footpad thereon. The applicant has narrowed the claims and does not claim the footpad anymore.

The mechanism of Planck consists of an adjustable extension means screwed in the lower part of the ladder leg. One skilled in the art would not end up with the invention described in the newly amended claim when combining Dempsey, Hooten and Planck. Planck discloses an extension screwed in the lower ends of the legs, but as shown in Fig.2 of Planck the leg of the ladder is hollow only in its lowest part and therefore the screw-extension is of limited length. The limited length of the screw is also shown in Fig. 4 of Planck. The present invention describes a mechanism that allows extension of about two times of the original height of the ladder. The interior smaller telescopic leg can be as long as the exterior larger leg and therefore can be screwed out to extend the length of the ladder to almost twice the length. Dempsey fails to describe or propose anything else but a sliding mechanism for the extension of the legs. Importantly, the legs of Dempsey's invention are of U-shape and not hollow as in the present inventions. Therefore, the extension mechanism of Dempsey could not be a threaded screw mechanism. Therefore, the combined teachings of Dempsey and Planck would not have suggested to those of ordinary skill to construct a ladder with hollow exterior legs and telescopic inner legs with a screwing mechanism.

13. Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Dempsey in view of Hooten and Dunnewin. Dunnewin teaches the utility of hydraulic ladder leg extension assembly. Claim 5 is canceled.

15. The Examiner states that the applicant has failed to provide any structural relationships between the recited telescopic devices of claims 2 to 5 and the ladder itself. The applicant has modified the claim language of the amended claims accordingly.

16. The Examiner brings up the patent number 5,044,468 that has not made record and relied upon. This publication teaches hydraulic ladder and extension assemblies. As the applicant does not any more claims the hydraulic device this prior art is not relevant.

CONCLUSION

By virtue of the amendments and the above arguments, this application is deemed patentable over the cited art. Applicant respectfully requests that the Examiner reconsider and withdraw his rejections and allow this application to pass to issue. Alternatively, the applicant requests that this amendment be entered for the purpose of appeal.

Yours truly;

A handwritten signature in black ink, appearing to be 'John Dodds', written in a cursive style.

John Dodds

Attorney of the Applicant

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Cc. File

Mr. Bowman